



Testimony to the
Senate Committee on Judiciary in Support of SB 848

February 23, 2023

Good afternoon Chair Prozanski, Vice Chair Thatcher and members of the Senate Committee on Judiciary. My name is Mary Larkin, and I am writing on behalf of myself and my firm, Northwest Watersheds LLC, a woman-owned civil engineering firm founded in 2019. We employ six full-time staff and three paid interns. I am writing today to strongly support Senate Bill 848.

We are pleased to contribute to Oregon's economy by creating jobs, and to provide value to our communities by providing design and planning services for important infrastructure projects. Right now, we are being forced into unfair contracting practices called "duty to defend" clauses, which require us to pay the legal expenses for those involved in construction projects even before fault is determined. This is detrimental to all design firms but especially women, minority and emerging small businesses like mine. Because engineers, architects and land surveyors are being forced to shoulder all the legal liability and legal expense far beyond what they're able to get insured for, fewer projects are being designed and built in our communities.

We respectfully ask this committee to support SB 848.

Thank you for your service and we are happy to be a resource if you have additional questions.

Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mary Larkin". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Mary Larkin, PE
Principal Engineer/Owner